

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

WALTER DUANE WHITE,

Petitioner,

v.

**Civil Case No. 3:07cv8
(Judge Bailey)**

WARDEN JOYCE FRANCIS,

Respondent.

ORDER DENYING MOTION FOR COUNSEL

This § 2241 action is before the Court on the petitioner's motion for appointed counsel. However, a review of the file shows that the petitioner was denied the appointment of counsel in this case on July 25, 2007, because he could not show that the issues raised in the petition are complex or that he could not adequately litigate the matter *pro se*. See Dckt. 32 (citing Pennsylvania v. Finley, 481 U.S. 551 (1987); Vega v. Williamson, 2005 WL 3117677 (M.D.Pa Nov. 22, 2005); 18 U.S.C. § 3006A(a)(2)(B)). Petitioner has provided nothing in the instant motion to change the undersigned's previous assessment of the need for appointed counsel. Accordingly, the petitioner's Motion for Appointment of Counsel (dckt. 33) is **DENIED**.

IT IS SO ORDERED.

The Clerk is directed to mail a copy of this Order to the *pro se* petitioner.

DATED: September 11, 2007.

/s John S. Kaull

JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE